

Trustees Board Minutes

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| Meeting | Trustees Board | Date | Wednesday, 13 th July 2022 |
| Location | Executive Boardroom, Broadstairs College | Time | 2.00 pm |
| Membership | Tammy Mitchell (CEO), Jonathan Clarke (Chair), Graham Razey (GR), Peter Troke (PT) , <i>Bernadette Lax (BL)</i> , Peter Goldsack (PG), Chris Argent (CA), Michael Ashley (MA), <i>Paul Wilson (PW)</i> , <i>Suzy Hollett (SH)</i> . | | |
| In Attendance | Chris Legg, Chief Financial Officer (CFO) Sharon Hollingsworth, Director of Governance (DG) Claire Edgeworth (CE) – Executive Support Officer Guest: Alan Horton (AH) – proposed new Trustee | | |

**Italics denotes absence*

| | ITEM | COMMENTS | ACTION |
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| 1 | Welcome and apologies for absence | The Chair welcomed members to the meeting. BL, SH and PW sent their apologies. | |
| 2 | Declarations of Interest | There were no additional declarations to the meeting other than those declared as standing items. | |
| 3 | Minutes of the meeting held 8 th March 2022 including any confidential minutes | The minutes from the meeting held on 8 th March 2022 had been circulated to Trustees prior to the meeting. The minutes and confidential minutes were reviewed and approved as an accurate record. The signing of the minutes will be undertaken by the Chair following the meeting. APPROVED – Minutes from the meeting held 8th March 2022 | |

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| 4 | Matters arising not covered by this agenda | <p>The Chair advised that there were two proposed additional Trustees to officially appoint to the Board, AH and Barbara Conroy (BC). BC had been invited but unfortunately could not attend the meeting. AH was asked to leave the meeting. The Chair read a synopsis of the bios for BC and AH to the Trustee Board. BC will fill the vacant post previously held by Hannah Tudor and AH will replace PW who has resigned with effect from 31st August 2022.</p> <p>The Chair asked the Trustees to ratify the positions and the Trustees were in agreement.</p> <p style="text-align: center;">APPROVED – AH and BC to join the Trustee Board. DG to formally write to AH and BC to confirm their respective date of commencement.</p> <p>AH was invited back into the meeting and everyone introduced themselves.</p> | DG |
| 5 | Chairs Communication | <p>Prior to the meeting, JC had advised the Trustee Board that he was stepping down as a Trustee and will become a Member of the Trust. At the next meeting, a new Chair and Deputy for the Trustees Board will be elected.</p> <p style="text-align: center;">NOTED: The Chairs resignation.</p> | |
| 6 | CEO's Report | <p>The report was circulated prior to the meeting.</p> <p>The CEO gave a summary of her report. The number of pupils including the nursery provision is now over 2000 pupils. Bysing Wood have seen a rapid growth in year. The pupil data is static and there is data available for Palm Bay and East Stour. East Stour have 21 children with EHCPs and usually this number would indicate a specialist provision. The CEO advised that national attendance data is 92% and we are broadly in line with the national data but work is being undertaken to improve these figures. The gaps between disadvantaged and their peers remains wide.</p> <p>The CEO gave an overview of the outcomes from the Trust level survey which looked at three key areas – safeguarding, quality of education and ethos/culture. The CEO considered anything over 90% to be good and 95% excellent. The data shows the Trust is strong around feeling safe in the school but there is a view from various stakeholders that children are not</p> | |

sufficiently challenged and there is some work to be done in this area. The CEO has been working with the Senior Leaders on re-establishing a culture of pride and success in the schools. The CEO advised that she is pleased with the safeguarding data and parent views which show the children feel safe. The Trustees discussed the staff responses and that staff have changed their view post pandemic. The CEO acknowledged that some staff were reluctant to go back to their job as it was and acknowledged there was some cultural work to be done and they were looking at workload and flexible working. The CEO advised that Queenborough staff know what they do well and success breeds success and the leadership team consistently remind staff of the benefits of working for the School.

The CEO advised that there is a large number of National Priorities, guidance and legislation that is coming through. It is unclear currently who is leading us or what is happening with the Education Bill. The Academies financial reporting dates have still not been published.

Safeguarding reviews have been undertaken and a report was submitted to the Trustees. Compared to the initial report, these are now strong. The CEO has undertaken a review at Palm Bay School which has also come out strong.

The CEO provided the data from all the schools on staff attendance. The percentage is worked out on staff numbers, so a school with less staff, could have a high percentage with even only one staff member absent. The CEO has met with the Head Teacher at those schools with a high absenteeism and a number of health reviews have been undertaken.

As a Trust we are leading the way in assessment foundation subjects and externally we are being recognised that this is a strength. The CEO acknowledged that it was powerful to have 6 sets of leaders sharing and discussing quality resources.

The CEO advised that this is the first time data has been available post Covid and it is a mixed picture. Leaders are looking at their unique patterns and closures and it is quite a complex picture. The CEO acknowledged that Early Years have a lot to celebrate, and a lot of

children started well below average have made a strong recovery and this is down to strong teaching.

The outcomes for the phonics screen are mixed across the Trust. Phonics is strong at East Stour and this will be shared across the Trust. The outcomes were what was predicted and the CEO feels that is a true reflection. Where children have low levels of speech and language or English as their second language, we have a good rate of getting them to key stage 1.

Queenborough's Key Stage 1 SATS results are back in line with the pre Covid outcomes. Across the rest of the school, Year 2 and 3 have been most affected. Bysing Wood took the decision to focus on reading in Year 2 to support children to move through the curriculum and this has been positive.

Outcomes at Key Stage 2 are a mixed picture and Head Teachers are concerned about this data. The CEO is working with the schools to move forward for the next academic year and raise attainment. Briary's outcomes were in line with their predictions; Queenborough is reassuringly high and when Ofsted visit, they should retain their outstanding; Palm Bay's outcome were in line with their predictions; Holywell achieved higher than their predictions; Bysing Wood have maintained their levels from Key Stage 1; East Stour's outcomes were lower than their prediction. The Trustees discussed the results, and the CEO will double her visits to schools next year that need support.

The CEO produced a SEF report which showed that Early Years are stronger than at the beginning of the year.

The CEO advised that all milestones in the Strategic Plan have been met and is looking to strengthen the Governing Bodies over the next 5 years. The Strategic Plan is posted on the website to show this is reviewed annually.

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| | | <p>Trust Developments – this part was considered confidential and will form Part A Confidential Minutes.</p> <p>The EKC Group has commissioned an independent legal review of the contract between the Group and the Trust to ensure that considering legislation changes with the Education Bill, the agreement was robust and protected both organisations. GR advised that the arrangement between the Group and the Trust is unique and the Group's Audit Committee felt this should be tested. Whilst they have suggested some rewording, the agreement is sound and will do the job we need it to do to protect both parties. The Trustees agreed that with current changes within the Government, this needed to be kept as a live conversation. The Trustees discussed the success and strengths of this situation and queried if the DfE could remove the Trust from this contract and the CEO advised that they could remove a school but could not remove the Trust without a unanimous vote from the Group.</p> <p>The Trustees queried the results as Queenborough were above average whilst others not above average. The CEO advised that Palm Bay should have been above average and next year they will focus on their ambitions to reach the attainment. The CEO advised that Queenborough have had outstanding teaching for a number of years and pre pandemic were already ahead and they managed to pick up quicker, whereas the other schools struggled when Covid hit. Holywell have had a focus on strengthening teachers and are in a stronger position.</p> <p>The Trustees challenged CEO around all the data and sought reassurances around the approach leaders will be taking next year to address issues.</p> | |
| 7 | Director of Governance Report | <p>The Director of Governance report and papers were circulated to Trustees prior to the meeting.</p> <p>There have been some changes to the Trustees and Members. AH and BC were appointed by Members and will officially join the Trustee Board at the respective agreed date. There are two new members, Louisa Coppins who joined on the 25th April 2022 and JC will join as a member on the 1st August. A new Chair of Trustees and Vice Chair of Trustees will be elected</p> | |

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| | | <p>at the September meeting. As PW and JC have left the Trustee Board, this leaves two vacancies on the Finance Committee. Once the Chair has been elected in September, membership of the Committees will be reviewed.</p> <p>The calendar of Trust Meetings was included with the report as an appendix.</p> <p>At the last meeting, the Terms of Reference for the Local Governing Boards was presented as a draft and the Trustees asked DG to review this with the Chairs and bring back for approval. DG has met with the Chairs and all parties feel this is a robust document to take forward.</p> <p style="text-align: center;">APPROVED – The Terms of Reference for the Local Governing Bodies</p> <p>The Scheme of Delegation has been amended to show that the two new schools have joined us. The Trustees approved the amendments.</p> <p style="text-align: center;">APPROVED – The updated Scheme of Delegation</p> <p>The CEO, DG and Director of Operations have been working on a Local Governing Body Support handbook. This has been shared with the 6 Chairs and has received positive feedback. It is in the final stages and a copy will be sent to the Trustees when completed. The handbook will be launched in September.</p> <p style="text-align: center;">ACTION – A copy of the handbook to be sent to Trustees.</p> <p>The Trustees had visited Holywell in March and Bysing Wood in July. The Trustees gave verbal feedback from their visit to Bysing Wood. The Trustees enjoyed their visit to the Forest School and noted the challenges. The Trustees agreed that the school was in a good place for the housing expansion.</p> | DG |
| 8 | Trust Budget 2022-23 & Trust 3-year Financial Plan | <p>The CFO had shared the Trust Budget Strategy with the Finance Committee and gave reassurances that this was robust. The CFO advised that the schools are provided with the appropriate tools and the Senior Business Managers (SBM) complete their own budget with the support of the Group Senior Finance Business Manager.</p> <p>The total income is made up from income lines such as the General Annual Grant (GAG), Pupil Premium, Universal Free School Meals, PE Sports Grant and elements of high needs funding.</p> | |

Pay expenditure budgets have been calculated based on a review of each school's establishment to determine salary, national insurance and employer's pension costs. Allowance has also been made for incremental rises and other pay adjustments that are known to be occurring. The pension scheme makes up three quarter of our spend. When new schools join the figures received from KCC are unhelpful however for four schools we now have a full year of historic data.

The reserves are broken down by schools and what the closing balance is at the end of the year. The figures have been presented as a percentage of income to gauge where we are at. The DfE have determined that levels of reserves below 20% is ok and anything more than that could instigate some intervention from the Government in the future. Currently, we only have one school above 20% and the CEO and the Head Teacher are working to bring this down. The plan is that each form of entry will put aside £25k and any school where they have cannot put this aside, we will work with them. The Trustees queried if they could put half aside one year and half aside the next, and the CEO confirmed this was the case.

The CFO advised that we are obliged to submit an Academy budget forecast return, which looks at last year's accounts, this year's outturn and next year's budget and this has to be returned by 26th July. We have increased by 1%.

The CFO talked the Trustees through the appendices which were the EKC Schools Trust Income and Expenditure Budget for 2022-23 and EKC Schools Trust Forecasted Balance Sheet for 2022-23.

The Trustees queried East Stour opening balance was zero and the CFO advised that we currently do not have the figure from KCC however the CEO advised that we know the closing balance was £100k. KCC can only take back what is owed plus £7k leaving fees.

The Trustees agreed the financial plans.

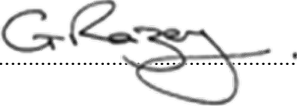
APPROVED - Trust Budget 2022-23 and Trust 3-year Financial plan.

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| 9 | Trust Management Accounts May 2022 | <p>The CFO shared the Trust Management Accounts (May 2022) prior to the meeting and went through them with the Trustee Board. The CFO advised that at Q3 we received a supplementary grant of £130k but this has arrived too late to spend on this year's pupils, so will be carried over to next year.</p> <p>The CFO advised that Q3 is strong and most schools will be putting money into reserves.</p> <p>The Finance Committee had discussed at their last meeting that we need to work with the schools to stop the schools being cautious about spending their money. The CEO and CFO will be undertaking a Finance Strategy Day to work with the schools around this.</p> | |
| 10 | Academies Financial Handbook | The CFO advised that the DfE have still not published the Academies Financial Handbook so could not update the Trustees. | |
| 11 | Trust Financial Regulations | As discussed in Item 10, as the Academies Financial Handbook has not been published, the CFO could not go through the Trust Financial Regulations with the Trustees. This will be added to the next agenda. | <u>DC</u> |
| 12 | Feedback from Committee meetings: RAC 26/05/22 Finance 5/07/22 | <p><u>RAC Committee Update</u></p> <p>The Minutes from the last RAC Committee Meeting were circulated prior to the meeting. The RAC Committee Chair advised that cyber security within the Trust had been debated and it was agreed that a review around cyber security will be added to the audit internal plan. The Risk Register had been reviewed and the Committee had a robust conversation regarding the risks around the new schools that had joined and agreed these were unknown and this would be reassessed. The Committee had also discussed the risks around the growth of the Trust in view of the White Paper.</p> <p><u>Finance Committee Update</u></p> <p>The Finance Committee Chair advised that a lot of the information at the last meeting had been covered in the agenda today. The Committee wanted to keep the Reserves Policy under review but were aware that with the current economic climate, the Government could look to take back some reserves.</p> | |

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| | | <p>The Committee looked at the Sustainability Report and the need to look for any warning signs where our finances might be at risk. The Finance Committee also discussed the 20% reserve figure and the confusion around how this should be spent and where the responsibility for premises costs lies, as the report suggests if you have 20% reserves you should be using this as a capital fund. GR advised that there is a government drive that if you contribute to a bid you can score more points. The CEO advised that with the CiF bids, Bysing-Wood were unable to pay a contribution and were unsuccessful in their bid.</p> <p>The Trustees queried if there was a long term plan to look at TUPE and whether we are going to set our own conditions for salary scales. The CEO advised that they will be undertaking some work around the Pay Policy for support staff. The CEO would not want to look at teacher's conditions as they are agreed nationally by Union's and if we stepped away, we would struggle to recruit teachers. At the moment we are aligned with KCC for support staff, but we need to develop our own support pay scale and this will then be brought to the Trustees to review. It was acknowledged that under KCC, support staff are under different scales for the same jobs at different schools. The meeting acknowledged that people are protected under TUPE but accepted that we need to look at equal pay.</p> | |
| 13 | Education Bill – key implications / impact (Paper included in CEO report) | <p>This item was discussed earlier in the meeting.</p> <p>The meeting discussed the legislation around absenteeism and acknowledged that there is a big difference between dis-advantaged and advantaged and we need to align this and support the families. The meeting acknowledged that there are varying degrees of absenteeism.</p> | |
| 14 | Any Other Business | <p>The CEO advised that PW is stepping down as a Trustee but unfortunately could not attend the meeting today. The CEO had thanked PW for his contribution at the last Finance Meeting.</p> <p>The meeting today was JC's last meeting as Trustee and the CEO thanked JC on behalf of the Trustee Board for all his support in helping to shape the EKC Schools Trust.</p> | |

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| 15 | Matters Considered Confidential | Trust Development item within the CEO's Report was considered confidential and will form Part A Confidential Minutes. | |
| 16 | Date and time of next meeting | Tuesday, 20 th September 2022 at 2 p.m. | |

There being no further business the meeting closed at 3.58 pm

Signed:  Print: **Graham Razey** Dated: **26/10/2022**